

MONDAY, APRIL 24, 1989

THIRTY-SEVENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Jerry Winfield, First Baptist Church, Bolivar, Tennessee.

Representative Rob Stallings led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

ENROLLED BILLS
April 20, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 273, 381, 604, 625, 640, 669, 1062, 1192, 1404, 1473, 1474, 1483, 1487, 1488, 1489, 1490, 1492 and 1493; House Joint Resolution(s) No(s). 241, 245, 246, 247, 248, 249, 278, 279, 282, 295 and 300; and House Resolution(s) No(s). 22; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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REGULAR CALENDAR

House Bill No. 1065 -- Tennessee Housing Development Agency -- Increases aggregate amount of bonds authorized to be outstanding at one time. Same as *SB 1054. Amends TCA 13-23-121.

On motion, House Bill No. 1065 was made to conform with Senate Bill No. 1347.

On motion, Senate Bill No. 1347, on same subject, was substituted for House Bill No. 1065.

Rep. Bragg moved that Senate Bill No. 1347 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

*House Bill No. 0301 -- Pardons and Paroles -- Revises certain parole procedures. Amends TCA, Title 40, Chs. 28, 29, 34, 35; Title 41, Ch. 1.

On motion, House Bill No. 301 was made to conform with Senate Bill No. 872.

On motion, Senate Bill No. 872, on same subject, was substituted for House Bill No. 301.

Rep. Byrd moved that Senate Bill No. 872 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes.	95
Noes.	0
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives present and not voting were: Purcell -- 1.

A motion to reconsider was tabled.

*House Bill No. 0340 -- Pardons and Paroles -- Increases membership of board; establishes quorum. Amends TCA 40-28-103.

Rep. Ellis moved that House Bill No. 340 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill No. 340 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Ellis moved that House Bill No. 340, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes.	92
Noes.	0
Present and not voting.	3

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives present and not voting were: DeBerry, Holcomb, Purcell -- 3.

A motion to reconsider was tabled.

House Bill No. 0795 -- Corporations -- Revises limitations on transfer of shares in professional corporation. Amends TCA 48-3-405.

On motion, House Bill No. 795 was made to conform with Senate Bill No. 777.

On motion, Senate Bill No. 777, on same subject, was substituted for House Bill No. 795.

Rep. C. Turner (Shelby) moved that Senate Bill No. 777 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps,

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Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives voting no were: Ellis, Hobbs -- 2.

A motion to reconsider was tabled.

House Bill No. 1033 -- Adoption -- Deletes requirement that final order of adoption be entered within two years of filing of petition. Amends TCA 36-1-124.

On motion, House Bill No. 1033 was made to conform with Senate Bill No. 1039.

On motion, **Senate Bill No. 1039**, on same subject, was substituted for House Bill No. 1033.

Rep. C. Turner (Shelby) moved that Senate Bill No. 1039 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 0829 -- Utilities, Utility Districts -- Limits charges for utility services when customer is unknowingly undercharged due to defects in equipment. Amends TCA, Title 7.

Rep. Holt moved that House Bill No. 829 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

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Amendment No. 1

Amend House Bill No. 829 by deleting Sections 1 and 2 in their entirety and by substituting instead the following language:

SECTION 1. Notwithstanding any other provision of law to the contrary, if kilowatt usage is inaccurately recorded or registered due to equipment failure and results in a customer being under charged or over charged, and the customer is unaware of the error, defect, or failure, no utility district, municipality, or electric company shall be authorized to collect or assess a charge for such usage, or to reimburse the customer for overpayment of such usage, prior to thirty-six (36) months from the date the error is discovered and billed; provided that, if a date certain can be established for such error which is less than thirty-six (36) months, no utility district, municipality, or electric company shall be authorized to collect or assess a charge for such usage, or to reimburse the customer for overpayment of such usage, beyond such date.

SECTION 2. Notwithstanding any other provision of law to the contrary, if gallonage for water or sewer service or both is inaccurately recorded or registered due to equipment failure and results in the customer being under charged or over charged, and the customer is unaware of the error, defect, or failure, no utility district, municipality, or water or sewer system or company shall be authorized to collect or assess a charge for the unpaid gallonage or to reimburse the customer for overpayment of such usage, prior to thirty-six (36) months from the date the error is discovered and billed; provided that, if a date certain can be established for such error which is less than thirty-six (36) months, no utility district, municipality, or water or sewer system or company shall be authorized to collect or assess a charge for such usage, or to reimburse the customer for overpayment of such usage, beyond such date.

SECTION 3. Notwithstanding any other provision of law to the contrary, if cubic feet for gas service is inaccurately recorded or registered due to equipment failure and results in the customer being under charged or over charged, and the customer is unaware of the error, defect, or failure, no utility district, municipality, or gas system or company shall be authorized to collect or assess a charge for the unpaid cubic feet or to reimburse the customer for overpayment of such usage, prior to thirty-six (36) months from the date the error is discovered and billed; provided that, if a date certain can be established for such error which is less than thirty-six (36) months, no utility district, municipality, or gas system or company shall be authorized to collect or assess a charge for such usage, or to reimburse the customer for overpayment of such usage, beyond such date.

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SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it; and shall apply to any claim asserted or filed by any individual, entity, or governmental entity after the effective date of this act for overpayment or underpayment for services as provided herein and shall in no way be construed to apply to any claim asserted or filed by any individual, entity, or governmental entity prior to the effective date of this act for overpayment or underpayment for such services.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Holt moved that House Bill No. 829, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 0581 -- Trusts -- Declares trust established for perpetual care of a private cemetery to be a charitable trust; establishes mechanism for creating a trust for such care. Amends TCA, Title 35, Chs. 1, 50; Title 67, Ch. 2, Pt. 1.

On motion, House Bill No. 581 was made to conform with Senate Bill No. 18.

On motion, Senate Bill No. 18, on same subject, was substituted for House Bill No. 581.

Rep. Anderson moved that Senate Bill No. 18 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. 95
Noes. 1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives voting no were: Copeland -- 1.

A motion to reconsider was tabled.

House Bill No. 0770 -- Licenses -- Increases fee for issuing duplicate license under Home Improvement Licensing Act. Amends TCA, Title 62, Ch. 37.

Rep. Ridgeway moved that House Bill No. 770 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

Amend House Bill No. 770 by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-37-103, is amended in subdivision (7)(B)(ii) by deleting the word "materials;" and substituting instead the words:

"materials, including the incidental installation thereof, provided the installation does not involve alterations to the structure of the building or its plumbing or wiring;"

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

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Thereupon, Rep. Ridgeway moved that House Bill No. 770, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives present and not voting were: Miller -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 770 and have this statement entered in the Journal.

Rep. Phillip Pinion

REGULAR CALENDAR, CONTINUED

House Bill No. 1132 -- Education -- Enacts the "Parent-Teacher Partnership Act of 1989". Amends TCA, Title 49, Ch. 6.

Rep. Turner (Hamilton) moved that House Bill No. 1132 be reset to the Calendar for Monday, May 1, 1989, which motion prevailed.

House Bill No. 1002 -- Courts -- Empowers general sessions judges with same powers as courts of record to punish for civil contempt.

On motion, House Bill No. 1002 was made to conform with Senate Bill No. 487.

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On motion, Senate Bill No. 487, on same subject, was substituted for House Bill No. 1002.

Rep. Turner (Hamilton) moved that Senate Bill No. 487 be passed on third and final consideration.

Rep. Buck moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 487 by deleting the amendatory language of Section 1 and by substituting instead the following:

Upon violation of the order of protection or a court-approved consent agreement, the court may hold the defendant in civil or criminal contempt and punish him in accordance with the law. A judge of the general sessions court shall have the same power as a court of record to punish the defendant for contempt when exercising jurisdiction pursuant to this part or when exercising concurrent jurisdiction with a court of record. A general sessions judge who is not a licensed attorney shall appoint an attorney referee to hear charges of criminal contempt.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Turner (Hamilton) moved that Senate Bill No. 487, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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House Bill No. 1133 -- Handicapped Persons -- Implements early childhood intervention program for certain handicapped children.

Rep. Turner (Hamilton) moved that House Bill No. 1133 be passed on third and final consideration.

Rep. Davidson moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 1133 by deleting from the first paragraph of Section 1 the language up to and including the colon, and by substituting instead the following language:

In addition to other powers and duties as provided in Tennessee Code Annotated, Section 49-10-701, the state board of education is authorized to set policies and promulgate rules and regulations, with the assistance of the department of education and input from the interagency coordinating council for early childhood intervention, for the planning and development of a statewide system of coordinated, comprehensive, multidisciplinary, interagency programs for handicapped infants and toddlers and their families, to include the following components, as prescribed by Title 20 United States Code Annotated, Sections 1471 through 1485, as the same may be amended or supplemented:

AND FURTHER AMEND by deleting Section 2 in its entirety and by substituting instead the following language:

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Turner (Hamilton) moved to amend as follows:

Amendment No. 2

AMEND House Bill No. 1133 by deleting from the first paragraph of Section 1, as amended, the words "is authorized to set" and by substituting the words "shall set".

AND FURTHER AMEND by deleting from subdivision (14) of Section 1 the following:

, and other information required by the U.S. secretary of education

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AND FURTHER AMEND by designating the present language of Section 1, as amended, to be subsection (a) and by adding a new subsection (b), as follows:

(b) As used in the section, "infants and toddlers" means individuals from birth to two (2) years of age, inclusive.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Turner (Hamilton) moved that House Bill No. 1133, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curles, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 1003 -- Marriage -- Makes marriage license issued in Tennessee valid only in Tennessee. Amends TCA, Title 36, Ch. 3.

On motion, House Bill No. 1003 was made to conform with Senate Bill No. 406.

On motion, Senate Bill No. 406, on same subject, was substituted for House Bill No. 1003.

Rep. Turner (Hamilton) moved that Senate Bill No. 406 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	2

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Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Shirley, Williams -- 2.

A motion to reconsider was tabled.

*House Bill No. 1135 -- Utilities, Utility Districts -- Limits expansion of non-consumer owned electric utility systems. Amends TCA 6-51-111; Title 65.

On motion, House Bill No. 1135 was made to conform with Senate Bill No. 1336.

On motion, Senate Bill No. 1336, on same subject, was substituted for House Bill No. 1135.

Rep. Hillis moved that Senate Bill No. 1336 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Kent, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

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Representatives present and not voting were: Moore (Shelby)
-- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to present and not voting on Senate Bill No. 1336 and have this statement entered in the Journal.

Rep. Mike Kernell

REGULAR CALENDAR, CONTINUED

House Bill No. 0821 -- Family Life Curriculum -- Mandates family life instruction in certain counties under certain circumstances. Amends TCA, Title 49.

On motion, House Bill No. 821 was made to conform with Senate Bill No. 1144.

On motion, Senate Bill No. 1144, on same subject, was substituted for House Bill No. 821.

Rep. DeBerry moved that Senate Bill No. 1144 be passed on third and final consideration.

Rep. Davidson moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1144 by adding the following sentence to the end of the amendatory language of Section 1(a)(2):

The local education agency shall also prescribe procedures to provide for the periodic review and evaluation of family life instruction and to provide for periodic public hearings and parental conferences to insure a high level of community and parental input and support for family life instruction.

On motion, Amendment No. 1 was adopted.

Rep. Duer moved the previous question, which motion failed by the following vote:

Ayes.	38
Noes.	49

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Representatives voting aye were: Anderson, Armstrong, Bragg, Buck, Burnett, Clark, Collier, Davidson, Davis (Cocke), Davis (Knox), DePriest, Dixon, Duer, Garrett, Head, Huskey, Jackson, Kernell, King, Love, Miller, Moore (Lawrence), Naifeh, Nuber, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Hamilton), Robinson (Washington), Sipes, Turner (Hamilton), Turner, L. (Shelby), West, Williams, Winningham, Wix, Mr. Speaker Murray -- 38.

Representatives voting no were: Bell, Bittle, Bivens, Byrd, Cain, Callicott, Chiles, Coffey, Copeland, Crain, Cross, Curlee, Davis (Gibson), Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Kent, McAfee, McDaniel, Moody, Moore (Shelby), Napier, Niceley, Phillips, Pinion, Rhinehart, Robinson (Davidson), Scruggs, Severance, Shirley, Stallings, Stamps, Turner, C. (Shelby), Whitson, Wolfe, Wood, Yelton -- 49.

Rep. Whitson moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 1144 by deleting from the amendatory language of Section 1 the language "ten (10)" and by substituting instead the language "fifteen (15)".

On motion, Amendment No. 2 was adopted.

Rep. Wood moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 1144 by adding the following language to the end of Sections 1(a)(2) and 1(b)(2):

Upon receipt of a written statement from a student's parent or guardian to the effect that the teaching of sex-related subjects in school is in conflict with religious beliefs taught in the home, the local education agency shall excuse such child from all family life classes. A child so excused shall not be penalized for grading or grade level advancement.

Rep. Burnett moved that Amendment No. 3 be tabled, which motion failed by the following vote:

Ayes.	42
Noes.	52
Present and not voting.	1

Representatives voting aye were: Armstrong, Bivens, Bragg, Buck, Burnett, Cain, Clark, Coffey, Collier, Davidson, Davis

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(Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Head, Huskey, Kernell, King, Kisber, Love, Miller, Moore (Lawrence), Nuber, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Hamilton), Robinson (Washington), Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Whitson, Williams, Winningham, Mr. Speaker Murray -- 42.

Representatives voting no were: Bell, Bittle, Byrd, Callicott, Chiles, Copeland, Crain, Cross, Curlee, Davis (Gibson), Ellis, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Kent, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh, Napier, Niceley, Odom, Phillips, Pinion, Robinson (Davidson), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), West, Wheeler, Wix, Wolfe, Wood, Yelton -- 52.

Representatives present and not voting were: Rhinehart -- 1.

Rep. DeBerry moved that Senate Bill No. 1144 be re-referred to the Calendar and Rules Committee, which motion prevailed.

***House Bill No. 1187 -- Education, Higher -- Provides additional regulation of proprietary post-secondary schools; establishes tuition guaranty fund and board. Amends TCA, Title 49, Ch. 7.**

Rep. DeBerry moved that House Bill No. 1187 be passed on third and final consideration.

Rep. Davidson moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 1187 by deleting Section 8 of the bill as printed and substituting instead the following:

SECTION 8. Tennessee Code Annotated, Section 49-7-2008(d), is amended by deleting the word and figure "one (1)" and substituting the words and figure "up to six (6) years" and by deleting the period at the end of the sentence and adding the following:

as provided in subdivision (b)(2) or as otherwise determined by the commission.

AND FURTHER AMEND by deleting Section 9 of the bill as printed and substituting instead the following:

SECTION 9. Tennessee Code Annotated, Section 49-7-2008(f)(2), is amended by deleting the subdivision in its entirety and substituting instead the following:

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(2) A renewal application for authorization shall be acted on by the commission under the same procedures used in initial applications, but before any renewal is authorized an institutional self-study using the standards of an appropriate accrediting authority shall be performed and the results filed with the commission, and during the authorization period, with annual reports and fee payment, there shall be an on-site visit of the institution by at least one (1) external authority on that type of institution and a staff member of the commission. The self-study and site visit may be conducted in conjunction with a normally scheduled accreditation visit, but, in any event, the institution shall pay the reasonable honorarium compensation and travel expenses of the external authority, if requested.

AND FURTHER AMEND by deleting Section 11 of the bill as printed and substituting instead the following:

SECTION 11. Tennessee Code Annotated, Section 49-7-2013(a)(1), is amended by deleting the words and figures "of ten thousand dollars (\$10,000)" and substituting instead the following:

In the amount of ten thousand dollars (\$10,000) for in-state institutions and twenty thousand dollars (\$20,000) for out-of-state vocational education institutions that provide all or part of their instruction in Tennessee, including out-of-state institutions which begin operation of branch campuses in Tennessee after the effective date of this act. Institutions providing primarily religious instruction or not organized as private vocational education institutions shall maintain a ten thousand dollar (\$10,000) institutional surety bond.

AND FURTHER AMEND by deleting Section 13 of the bill as printed and substituting instead the following:

SECTION 13. Tennessee Code Annotated, Section 49-7-2013(b)(1), is amended by deleting the first sentence thereof and substituting instead the following:

An application for each agent's permit for an out-of-state institution shall be accompanied by a good and sufficient surety bond in the penal sum of five thousand dollars (\$5,000) for each such agent.

AND FURTHER AMEND by deleting Section 14 of the bill as printed and substituting instead the following:

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SECTION 14. Tennessee Code Annotated, Section 49-7-2013(b)(2), is amended by deleting the words and figures "ten thousand dollars (\$10,000) or five thousand dollars (\$5,000) per agent, whichever is greater" and substituting instead the words and figures "five thousand dollars (\$5,000) for each agent of an out-of-state institution".

AND FURTHER AMEND by deleting Section 16 of the bill as printed and substituting instead the following:

SECTION 16. Tennessee Code Annotated, Section 49-7-2014(b)(2), is amended by deleting the subdivision in its entirety and substituting instead the following:

(2) The annual fee for all nonexempt postsecondary educational institutions shall be one hundred dollars (\$100).

AND FURTHER AMEND by deleting Section 18(a) and (c)--(e) of the bill as printed and substituting instead the following:

Section 49-7-2018(a) The general assembly hereby recognizes the need to establish a fund from which reimbursement can be made to students, or entity making loans to students, at private postsecondary vocational education institutions which close without earning tuition collected from enrollees, and that the monies for such fund can be most properly raised based on the level of tuition collections at each such vocational education institution.

(c) There is hereby established the board of directors of the tuition guaranty fund which shall be composed of the comptroller, the commissioner of finance and administration, the state treasurer, the chairman of the advisory committee on the postsecondary education institutions to the commission, a representative of the private vocational education industry named by the chairman of the commission, and the executive director of the Tennessee higher education commission, or their designees, so designated in writing. The state treasurer, or his designee, shall be chairman. The board is hereby authorized to take any actions necessary to administer the fund, including promulgation of rules, regulations, and by-laws. The board shall report annually to the general assembly and governor on the condition of the fund.

(d) There is hereby imposed on each nondegree-granting postsecondary vocational education institution authorized under this part, and on each private degree-granting postsecondary vocational education institution otherwise exempt under Section 49-7-2004(6), a tuition guaranty fund fee according to the following schedule:

<u>Gross Tuition Collected During Assessment Year</u>	<u>Payment into Fund</u>
\$1 - 25,000	\$200
25,000 - 50,000	250
50,000 - 100,000	300
100,000 - 200,000	400
200,000 - 300,000	500
300,000 - 400,000	600
400,000 - 500,000	700
500,000 - 750,000	1,000
750,000 - 1,000,000	1,250
1,000,000 - 1,500,000	1,500
1,500,000 - 2,000,000	2,000
over 2,000,000	2,000 plus 1/10th of 1% all gross tuition over \$2,000,000

The fee shall be based on tuition collections, however described, in the previous academic year unless the board determines a different time measure is more appropriate for an institution. The fee shall be paid to the tuition guaranty fund at least thirty (30) days before the beginning of a new academic year; provided, however, the board may established alternate dates to account for variations in institutional programs and schedules. The board may also establish late payment penalties by regulation.

(e) The tuition guaranty fund shall be collected until such time as a balance of not less than three hundred thousand dollars (\$300,000) nor more than five hundred thousand dollars (\$500,000), as set by the board, is in the fund. At that time the board shall suspend collection of the fee, but may institute it at such time as the fund balance drops below a minimum of three hundred thousand dollars (\$300,000). After payment of one (1) year's assessment into the fund by a vocational education institution authorized on the effective date of this act, the vocational education institution will not be required to secure and maintain an institutional surety bond. The tuition guaranty fund board of directors shall have authority to reimpose the requirement for an institutional bond if the balance in the fund, having reached the required minimum, for any reason falls below the minimum level. For a new private vocational institution which begins operation in Tennessee after the effective date of this act, the institution must meet bonding requirements as specified in Section 49-7-2013 for a period of two (2) complete authorization years and pay guaranty fund assessments as specified in Section 49-7-2020(c) for at least four (4) years. If the balance of the tuition guaranty fund at any time exceeds the balance established by the board, the board may at its discretion transfer all or a portion of the

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surplus to the Tennessee student assistance corporation, which surplus shall be expended solely for grants of student assistance pursuant to the provisions of Sections 49-4-301--49-4-308.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. DeBerry moved that House Bill No. 1187, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives present and not voting were: Dixon -- 1.

A motion to reconsider was tabled.

House Bill No. 1049 -- Aircraft and Airports -- Revises apportionment formula for certain air carriers under excise and franchise taxes. Amends TCA, Title 67, Ch. 4, Pt. 8, 67-4-812, 814; Title 67, Ch. 4, Pt. 9, 67-4-911, 912.

On motion, House Bill No. 1049 was made to conform with Senate Bill No. 378.

On motion, Senate Bill No. 378, on same subject, was substituted for House Bill No. 1049.

Rep. Naifeh moved that Senate Bill No. 378 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. 88
Noes. 7

Representatives voting aye were: Anderson, Armstrong, Bell, Bivens, Bragg, Buck, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Givens, Good, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 88.

Representatives voting no were: Bittle, Burnett, Copeland, Gunnels, Haun, McAfee, Niceley -- 7.

A motion to reconsider was tabled.

House Bill No. 1097 -- Bad Checks -- Makes worthless check for the payment of preexisting debt within coverage of bad check law. Amends TCA, Title 39, Ch. 3, Pt. 3.

Rep. Naifeh moved that House Bill No. 1097 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1097 by deleting Section 1 in its entirety, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 39-3-301, is amended by inserting the following language between the words and punctuation "or to obtain credit," and the words "knowing at the time":

including the payment of a pre-existing debt for the further purpose of obtaining additional credit,

On motion, Amendment No. 1 was adopted.

Rep. Naifeh moved that House Bill No. 1097 be reset to the Calendar for Monday, May 1, 1989, which motion prevailed.

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*House Bill No. 0515 -- Motor Vehicles -- Provides certain allowances for specialized haulers. Amends TCA, Title 55, Chs. 4, 7, 9.

Rep. Naifeh moved that House Bill No. 515 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 515 in Section 1., subsection (d), line 3, by inserting the language "Title 23" between the word "by" and the language "U.S.C.".

Further amend in Section 1., by deleting therefrom subsection (f) in its entirety.

Further amend in Section 1., subsection (a), lines 1 and 2, by deleting therefrom the language: "Except as provided in Tennessee Code Annotated, Title 55, Chapter 7," and by substituting instead the language:

"Except as provided in subsection (d) of this section."

On motion, Amendment No. 1 was adopted.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 2

Amend House Bill No. 515 by deleting subsection (e) of the amendatory language of Section 1, and renumbering the following subsection accordingly.

On motion, Amendment No. 2 was adopted.

Rep. Ridgeway moved to amend as follows:

Amendment No. 3

Amend House Bill No. 515 by redesignating Section 2 of the printed bill to be Section 3 and by adding a new Section 2, as follows:

SECTION 2. Tennessee Code Annotated, Section 55-7-202(a), is amended by adding a new sentence, as follows, at the end of the subsection:

It shall not be a violation of this part to transport a houseboat sixteen feet (16') in width, or

less, on the highways, but any such boat in excess of eight feet (8') shall be subject to the fees provided in Section 55-7-205.

On motion, Amendment No. 3 was adopted.

Rep. Naifeh moved to amend as follows:

Amendment No. 4

Amend House Bill No. 515 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ Tennessee Code Annotated, Section 55-9-401, is amended by adding the following at the end of the section:

Provided, however, that cotton wagons used exclusively to transport cotton shall display either a light meeting the requirements of this section or a triangle shaped slow moving vehicle identification emblem meeting Standard S276.3 of the American Society of Agricultural Engineers. Such emblem shall be placed on the lower left corner of the rear of such wagon.

On motion, Amendment No. 4 was adopted.

Thereupon, Rep. Naifeh moved that House Bill No. 515, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	2
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

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Representatives voting no were: Nuber, Whitson -- 2.

Representatives present and not voting were: Turner, L. (Shelby) -- 1.

A motion to reconsider was tabled.

House Bill No. 0800 -- Workers' Compensation -- Authorizes employee to file petition contesting employer's cessation or change of temporary disability payments. Amends TCA, Title 50, Ch. 6.

Further consideration of House Bill No. 800, previously considered on April 19, 1989, at which time it was reset to the Calendar for April 24, 1989.

Rep. Buck moved that House Bill No. 800 be passed on third and final consideration.

Rep. Shirley moved to amend as follows:

Amendment No. 1

Amend House Bill No. 800 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Title 50, Chapter 6, Part 2, is amended by adding the following new section:

If a physician refuses to give a deposition within ninety (90) days of receipt of notice, the employee may petition the court for an order requiring the physician to give the deposition. If the physician does not respond in a timely fashion, the physician shall lose the exemption from subpoena to trial established by Tennessee Code Annotated, Section 24-9-101.

Rep. Buck moved to amend as follows:

Amendment No. 1 to Amendment No. 1

AMEND House Bill 800 by deleting the words "refuses to give a deposition within" and by substituting instead the words "refuses to make a reasonable effort to give a deposition in a workers' compensation case within".

AND FURTHER AMEND by deleting the words and punctuation "If the physician does not respond in a timely fashion, the physician shall lose" and by substituting instead "If the

physician does not respond to the petition in a timely fashion, the physician may lose".

AND FURTHER AMEND by designating the amendatory language of Amendment No. 1 as subsection (a) and by adding the following new language, to be designated as subsection (b):

(b) For the purpose of subsection (a) of this section, the requirement that the physician make a reasonable effort to give a deposition may be presumed to be satisfied if the physician offers to make himself available to give his deposition within ninety (90) days' of notice at two (2) or more reasonable places and at times within normal business hours, but because of scheduling difficulties on the part of any of the other persons who wish to be present at the deposition, the deposition cannot take place at either of the times and places offered by the physician.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. Ellis moved the previous question, which motion prevailed.

Rep. Buck moved the adoption of Amendment No. 1, as amended, which motion prevailed.

Thereupon, Rep. Buck moved that House Bill No. 800, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Givens, Good, Gunnels, Haldeman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odum, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

Representatives voting no were: Duer -- 1.

A motion to reconsider was tabled.

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House Bill No. 1376 -- County Government -- Permits members of local legislative bodies employed by local governments to vote on matters affecting them. Same as *SB 526. Amends TCA, Title 12, Ch. 4.

Rep. Burnett moved that House Bill No. 1376 be reset to the Calendar for Monday, May 8, 1989, which motion prevailed.

House Joint Resolution No. 0285 -- Memorials, Government Officials -- Commends Lamar Alexander and University of Tennessee for resigning from Cherokee Country Club.

Further consideration of House Joint Resolution No. 285, previously considered on April 20, 1989, at which time it was reset to the Calendar for April 24, 1989.

Rep. King moved that House Joint Resolution No. 285 be adopted.

Rep. Severance moved that House Joint Resolution No. 285 be re-referred to the Calendar and Rules Committee, which motion prevailed.

CONSENT CALENDAR

***House Bill No. 0279** -- Traffic Safety -- Requires all drivers of motor vehicles to maintain proper lookout. Amends TCA, Title 55, Ch. 8.

***House Bill No. 0002** -- Utilities, Utility Districts -- Places Bedford County under jurisdiction of the utility management review board. Amends TCA, Title 7, Ch. 82.

On motion, House Bill No. 2 was made to conform with Senate Bill No. 9.

On motion, Senate Bill No. 9, on same subject was substituted for House Bill No. 2.

***House Bill No. 0030** -- Sunset Laws -- Extends termination date of the department of mental health and mental retardation, board of trustees. Amends TCA, Title 4, Ch. 29; Title 33, Chs. 1, 2.

House Bill No. 0215 -- Sunset Laws -- Extends termination date of Arlington development center. Amends TCA, Title 4, Chs. 3, 29; Title 33, Ch. 2.

***House Bill No. 1171** -- Health -- Authorizes Governor's Council on Physical Fitness and Health to create non profit corporation known as Tennessee Sports Festivals, Inc.

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House Bill No. 0894 -- Civil Procedure -- Limits time within which to bring suit on contract in certain circumstances. Amends TCA 28-1-105.

On motion, House Bill No. 894 was made to conform with Senate Bill No. 531.

On motion, Senate Bill No. 531, on same subject was substituted for House Bill No. 894.

***Senate Joint Resolution No. 0074** -- Memorials, Government Officials -- Requests designation of trail of General John Bell Hood through Maury County as historic trail.

House Joint Resolution No. 0027 -- General Assembly, Statement of Intent Or Position -- Expresses position that higher education desegregation monitoring committee should include black Tennesseans not employees or students of affected institutions.

***House Bill No. 0481** -- Mobile Homes and Manufactured Buildings -- Abolishes permit requirements and other statutory requirements of trailer courts. Amends TCA, Title 68, Ch. 24.

On motion, House Bill No. 481 was made to conform with Senate Bill No. 885.

On motion, Senate Bill No. 885, on same subject was substituted for House Bill No. 481.

House Bill No. 1467 -- Business and Commerce -- Extends hours of operation of pawnbrokers in Clarksville. Amends TCA 45-6-212.

House Bill No. 0789 -- Credit Unions -- Revises duties of credit union boards of directors. Amends TCA, Title 45, Ch. 4.

On motion, House Bill No. 789 was made to conform with Senate Bill No. 278.

On motion, Senate Bill No. 278, on same subject was substituted for House Bill No. 789.

House Joint Resolution No. 0288 -- Memorials, Retirement -- Honors Dr. Rosestelle B. Woolner on occasion of retirement.

House Joint Resolution No. 0289 -- Memorials, Congratulations -- Recognizes Rogersville on 200th anniversary of incorporation.

House Joint Resolution No. 0290 -- Memorials, Sports -- Honors Mount Juliet High School wrestling star Noah Nichols.

House Joint Resolution No. 0291 -- Memorials, Sports -- Congratulates Halls High Lady Tigers on undefeated basketball season.

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House Joint Resolution No. 0293 -- Memorials, Sports -- Honors Coach Les Robinson and East Tennessee State University men's basketball team.

House Joint Resolution No. 0294 -- Memorials, Sports -- Honors Coach Mike McIntyre and Bolton High School boys' basketball team on winning TSSAA Class AA state championship.

House Bill No. 1496 -- Dekalb County -- Levies hotel/motel tax.

Senate Joint Resolution No. 0234 -- Memorials, Recognition and Thanks -- Honors Jim Alexander for fifty years of exemplary service.

OBJECTION -- CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

Senate Joint Resolution No. 74 was objected to by Rep. Chiles.

House Joint Resolution No. 27 was objected to by Rep. Chiles.

Under the rules, Senate Joint Resolution No. 74 and House Joint Resolution No. 27; was/were placed at the foot of the calendar for Wednesday, April 26, 1989.

Rep. Kisber moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration; all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niseley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams,

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Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 0475 -- Banks and Financial Institutions --
Revises certain provisions relative to banking, banks and financial
institutions. Amends TCA, Titles 45, 47.

Senate Amendment No. 2

Amend House Bill No. 475 by adding to Section 5 (c)(2)
immediately before the semicolon (;) the following words and
punctuation:

" , but no cardholder other than the initiating or
authorizing cardholder shall be liable for such transaction"

Rep. Naifeh moved that the House concur in Senate Amendment(s)
No(s). 2, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell,
Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles,
Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis
(Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon,
Duer, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill,
Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron,
Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R.
(Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel,
Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier,
Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell,
Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton),
Robinson (Washington), Scruggs, Severance, Shirley, Sipes,
Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby),
Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams,
Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Armstrong moved that the rules be suspended for the purpose
of introducing House Joint Resolution No. 309 out of order, which
motion prevailed.

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House Joint Resolution No. 0309 -- Memorials, Condolence --
Honors memory of Walter DeWitt Valentine. by *Armstrong, *Bittle,
*Miller.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Armstrong, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

April 24, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 240; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

RULES SUSPENDED

Rep. Pinion moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 240 out of order, which motion prevailed.

Senate Joint Resolution No. 0240 -- Memorials, Personal Occasion
-- Congratulates David and Barbara Hamilton on birth of their son, David Blanton Hamilton, Jr.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Pinion, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Burnett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 308 out of order, which motion prevailed.

House Joint Resolution No. 0308 -- Memorials, Professional Achievement -- Congratulates James Thomas Mills, Jr., on election to presidency of Cumberland University. by *Burnett, *Bell.

On motion, the rules were suspended for the immediate consideration of the resolution.

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On motion of Rep. Burnett, with the request that all members be added as sponsors, the resolution was adopted.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Bragg, House Bill No. 1172 was recalled from the Calendar and Rules Committee.

On motion of Rep. Bragg, House Bill No. 1172 was withdrawn from the House.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Wednesday, April 26, 1989:

House Bill No. 672: Rep. Hawkins.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1110: Rep(s). Severance added as prime sponsor(s).

House Bill No. 1135: Rep(s). Hubbard added as prime sponsor(s).

House Joint Resolution No. 252: Rep(s). Givens added as prime sponsor(s).

House Joint Resolution No. 294: Rep(s). Purcell added as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0023 -- Memorials, Personal Occasion -- Honors Mr. and Mrs. Leo Maness on fiftieth wedding anniversary. by *Davis Ray.

The Speaker referred House Resolution No. 23 to the Calendar and Rules Committee.

House Joint Resolution No. 0296 -- Highway Signs -- Designates portion of State Route 347 as Webster Valley Road. by *Givens.

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The Speaker referred House Joint Resolution No. 296 to the Transportation Committee.

House Joint Resolution No. 0297 -- Memorials, Heroism -- Commends Tennessee State Troopers Gregory Bowden, David McDougal, and Sergeant Albert Rochelle for valor in service. by *Napier.

The Speaker referred House Joint Resolution No. 297 to the Calendar and Rules Committee.

House Joint Resolution No. 0298 -- Memorials, Sports -- Honors Coach Glenn Fisher and Unicoi County High School girls' basketball team on reaching Region 1 AA semifinal. by *Whitson.

The Speaker referred House Joint Resolution No. 298 to the Calendar and Rules Committee.

House Joint Resolution No. 0299 -- Memorials, Sports -- Honors Coach Phil Worrell and Unicoi County High boys' basketball team on winning Region 1 AA title. by *Whitson.

The Speaker referred House Joint Resolution No. 299 to the Calendar and Rules Committee.

House Joint Resolution No. 0301 -- Memorials, Interns and Pages -- Honors Joe Brandon, Jr., 1989 legislative intern. by *Bell.

The Speaker referred House Joint Resolution No. 301 to the Calendar and Rules Committee.

House Joint Resolution No. 0302 -- General Assembly, Studies -- Creates special joint committee to study health planning activities. by *Starnes.

The Speaker referred House Joint Resolution No. 302 to the General Welfare Committee.

House Joint Resolution No. 0303 -- Memorials, Congratulations -- Honors Amalgamated Clothing and Textile Workers Union on 75th anniversary. by *Ellis, *Williams K, *Turner L, *Shirley, *Bittle, *Herron.

The Speaker referred House Joint Resolution No. 303 to the Calendar and Rules Committee.

House Joint Resolution No. 0304 -- General Assembly, Studies -- Provides for study of school management. by *Cain, *Peroulas, *Byrd, *Rhinehart, *Davidson, *Pinion, *Davis J K, *Bittle, *Scruggs, *Miller, *Kent, Davis R E, Severance, Gaia, Turner L.

The Speaker referred House Joint Resolution No. 304 to the Education Committee.

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House Joint Resolution No. 0305 -- Memorials, Sports -- Congratulates Gleason Junior High School girls' basketball team on fine season. by *Herron.

The Speaker referred House Joint Resolution No. 305 to the Calendar and Rules Committee.

House Joint Resolution No. 0306 -- Memorials, Public Service -- Honors Brigadier General Roland L. Parkhill on exemplary service to Tennessee Army National Guard. by *Ridgeway.

The Speaker referred House Joint Resolution No. 306 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

House Bill No. 1501 -- Puryear -- Abolishes position of marshal. Amends Chapter 253, Acts of 1909, as amended. by *Ridgeway.

Passed first consideration.

***House Bill No. 1502 -- District Attorneys --** Grants credit for service on board of paroles in determining compensation of criminal investigators and assistant district attorneys general. Amends TCA 8-7-201. by *Starnes.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 0630 -- Financial Disclosure --** Authorizes corporate contributions in certain circumstances. Amends TCA, Title 2.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1152.

HOUSE BILLS ON SECOND CONSIDERATION

***House Bill No. 1498 -- Budget Procedures --** Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 1499 -- Sevier County -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

***House Bill No. 1500 -- Tennessee Wildlife Resources Agency --** Passed second consideration and referred to the Conservation and Environment Committee.

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SIGNED
April 24, 1989

The Speaker announced that he had signed the following: House Bill(s) No(s). 273, 381, 604, 625, 640, 669, 1062, 1192, 1404, 1473, 1474, 1483, 1487, 1488, 1489, 1490, 1492 and 1493; House Joint Resolution(s) No(s). 241, 245, 246, 247, 248, 249, 278, 279, 282, 295 and 300; and House Resolution(s) No(s). 22.

MESSAGE FROM THE SENATE
April 24, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 273, 381, 604, 625, 640, 669, 1062, 1192, 1404, 1473, 1474, 1483, 1487, 1488, 1489, 1490, 1492 and 1493; also, House Joint Resolution(s) No(s). 241, 245, 246, 247, 248, 249, 278, 279, 282, 295 and 300; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 24, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 73, 84, 238, 333, 334, 506, 652, 953, 955, 1074, 1121, 1182, 1196 and 1313; also, Senate Joint Resolution(s) No(s). 127, 192, 193, 194, 196, 197, 199 and 217; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
April 24, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 273, 381, 604, 625, 640, 669, 1062, 1192, 1404, 1473, 1474, 1483, 1487, 1488, 1489, 1490, 1492 and 1493; and House Joint Resolution(s) No(s). 241, 245, 246, 247, 248, 249, 278, 279, 282, 295 and 300; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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SIGNED
April 24, 1989

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 73, 84, 238, 333, 334, 506, 652, 953, 955, 1074, 1121, 1182, 1196 and 1313; and Senate Joint Resolution(s) No(s). 127, 192, 193, 194, 196, 197, 199 and 217.

MESSAGE FROM THE SENATE
April 24, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 471 (as amended); substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS
April 24, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 340, 770 and 829; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
April 24, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 63 (as amended); substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS
April 24, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1133; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE
April 24, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 523; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 24, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 266, 841 and 1017; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 24, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 16, 24, 36, 107, 253, 254, 255, 256, 257, 258, 259, 260, 261 and 262; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 24, 1989

MR. SPEAKER: I am directed to return to the House, House Bill No. 417.

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendment No. 1, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS
April 24, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 30, 215, 279,

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515, 800, 1171, 1187, 1467 and 1496; and House Joint Resolution(s) No(s). 288, 289, 290, 291, 293, 294, 308 and 309; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
April 24, 1989

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1499.

REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
April 24, 1989

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Wednesday, April 26, 1989: House Resolution(s) No(s). 23; House Joint Resolution(s) No(s). 297, 298, 299, 301, 303, 305 and 306; and House Bill(s) No(s). 1499.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

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On motion of Rep. Naifeh, the House adjourned until 2:00 p.m.,
Wednesday, April 26, 1989.